

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

**SENTENCING**

UNITED STATES OF AMERICA,	)	<b>COURT MINUTES - CRIMINAL</b>
	)	
Plaintiff,	)	Case No: 16-cr-0084 (WMW/KMM)
	)	Date: June 22, 2017
v.	)	Court Reporter: Lori Simpson
	)	Courthouse: St. Paul
ROBERT E. FACKLER (1),	)	Courtroom: 3B
	)	Time Commenced: 10:03 a.m.
Defendant.	)	Time Concluded: 10:44 a.m.
		Sealed Hearing Time:
		Time in Court: Hours & 41 Minutes

Defendant's true name if different from charging instrument:

☐ Parties ordered to file stipulation or proposed order for name change.

☐ Clerk of Court is directed to change name to:

Before Wilhelmina M. Wright, United States District Judge, at St. Paul, Minnesota.

**APPEARANCES:**

For Plaintiff: Benjamin F. Langner, Timothy C. Rank; Assistant United States Attorneys

For Defendant: Thomas M. Kelly ☐ FPD ☐ CJA ☒ Retained ☐ Appointed

Interpreter/Language: [Interpreter] / [Language]

☐ **Evidentiary Hearing** (only select if witness list filed)

☒ **Sentencing.**

☐ **Hearing held on objections to the presentence report.**

**IT IS ORDERED:**

Defendant is sentenced to:

<u><b>Count No.</b></u>	<u><b>Plea</b></u>	<u><b>Verdict</b></u>	<u><b>BOP</b></u>	<u><b>AG</b></u>	<u><b>SR</b></u>	<u><b>PROB</b></u>	<u><b>HA</b></u>
One	√		34 mos.		3 yrs.		

Sentence (or s.r.) to run ☐ concurrently ☐ consecutively

☒ **See J&C for special conditions**

- ✓ Defendant sentenced to pay:
  - ☐ Fine in the amount of \$ to be paid.
  - ✓ Restitution in the amount of \$523,469.00 jointly and severally with co-defendant Robert E. Fackler.
  - ☐ Costs of prosecution in the amount of \$ to be paid .
  - ✓ Special assessment in the amount of \$100.00 to be paid immediately.
- ☐ Plea and plea agreement accepted.
- ☐ Court Ordered Denial of Federal Benefits.
- ☐ Execution of sentence of imprisonment suspended until [Execution of Sent susp until].
- ✓ Defendant released pending execution of sentence of imprisonment on same terms and conditions as previously released.
- ☐ Execution of sentence of fine suspended.
- ✓ On Motion of the Gov't., counts 2-6 in the Indictment are dismissed as to this defendant only.
- ☐ Motion for departure is ☐ granted ☐ denied.
- ☐ Defendant remanded to the custody of the U.S. Marshal.
- ☐ Docket no.: shall be unsealed at the time the judgment is filed.
- ☐ Docket no.: shall remain sealed until [Date to unseal listed doc.].
- ✓ Docket nos.: 75, 76, 77 shall be sealed indefinitely.

s/Terianne Bender  
Courtroom Deputy